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PATENT
Customer No. 22,852
Attorney Docket No. 06502.0302-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Paul J. HINKER) Group Art Unit: 2192
Application No.: 09/686,628) Examiner: Vo, Ted T.
Filed: October 12, 2000)
For: AUTOMATIC CONVERSION OF) Confirmation No.: 6118
SOURCE CODE FROM 32-BIT TO)
64-BIT)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Sun Microsystems, Inc., duly organized under the laws of the State of Delaware and having its principal place of business at 4150 Network Circle, Santa Clara, CA 95054, represents that it is the assignee of the entire right, title and interest in and to the instant application identified above, Application No. 09/686,628, filed October 12, 2000, for AUTOMATIC CONVERSION OF SOURCE CODE FROM 32-BIT TO 64-BIT in the name of Paul J. HINKER, as indicated by assignment duly recorded in the United States Patent and Trademark Office (USPTO) beginning at Reel 011207, Frame 0416 on October 12, 2000.

Assignee, Sun Microsystems, Inc., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,802,057 B1, as indicated by assignment duly recorded in the USPTO beginning at Reel 010781, Frame 0715, on May 3, 2000. Assignee, Sun

Microsystems, Inc., further represents that to the best of Assignee's knowledge and belief, all right, title, and interest in and to the instant above-identified application, Application No. 09/686,628, and U.S. Patent No. 6,802,057 B1 are in assignee.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, Application No. 09/686,628, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of U.S. Patent No. 6,802,057 B1. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,802,057 B1 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,802,057 B1, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,802,057 B1 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer. If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this

Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 28, 2005

By:

Robert E. Converse, Jr.
Reg. No. 27,432